



Foundation for Individual Rights in Education

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As a public university, SHSU cannot lawfully ban “four-letter words,” no matter how offensive some may find them. The landmark Supreme Court case *Cohen v. California*, 403 U.S. 15 (1971) made clear that the First Amendment protects shocking or offensive expression, including the use of expletives in the communication of core political speech. In *Cohen*, the Supreme Court overturned the conviction of a man for wearing a jacket emblazoned with the words “Fuck the Draft” in a county courthouse. The Court held that the message on Cohen’s jacket, however vulgar, was protected speech, writing that “one man’s vulgarity is another’s lyric.” Similarly, in *Papish*, the Court determined that a student newspaper article entitled “Motherfucker Acquitted” was constitutionally protected speech. Indeed, the Supreme Court has held that the Constitution protects many kinds of expression arguably much more offensive than what was printed on the free speech wall.

Further, editorial comments about political figures such as President Obama or President Bush—even when they include “offensive” language—are a mainstay of America’s long tradition of impassioned political dialogue. In *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964), the Supreme Court made clear that honoring the First Amendment requires that “[d]ebate

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